IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION.

jmi

SUIT NO.780 OF 2008.

Shashikala Ramdev Saraswat. ..Plaintiff.
vs.
(Dr.)Anirudh Saraswat & Ors. ..Defendants.

....

Ms.Sapna Rachure, i/b. T.N. Tripathi & Co., for Plaintiff.
None for Defendants.

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CORAM: S.J.KATHAWALLA, J.
DATE : 8TH MAY, 2009.

P.C.:

. The learned Advocate for the plaintiff has written a letter dated 6th May 2009 to the plaintiff recording that she has collected the papers and proceedings in the suit and obtained their no objection. The learned Advocate has also recorded that pursuant to the directions given by the Court to the said Advocate, the notice is issued to the plaintiff informing her that the suit shall be appearing before this Court on 8th May 2009 at 11.00 a.m., when she should appear in person or through a pleader before this Court, failing which this Court may pass appropriate orders including the rejection of the suit. The said letter is taken on record and marked ‘X’ for identification.

2. The learned Advocate for the plaintiff has informed the Court that after the said letter was addressed to the plaintiff, the Advocate has personally spoken to the plaintiff and informed her that the suit is placed on 8th May 2009 at 11.a.m. before this Court. The learned Advocate for the plaintiff has further informed the Court that the plaintiff has not paid the Court fees till date and therefore, the writ of summons is not served upon the defendants.

3. Place the suit for dismissal on 8th June 2009.

4. In the meantime, Office to submit a report to this Court on or before 8th June 2009 explaining, why the suit is numbered, despite the plaintiff not having paid the Court fees.

[S.J.KATHAWALLA, J.]